



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 28, 1998

Ms. Tenley A. Aldredge
Assistant County Attorney
Travis County
P.O. Box 1748
Austin, Texas 78767

OR98-2540

Dear Ms. Aldredge:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 119121.

The Travis County Sheriff's Office received a request for copies of documents relating to case #97-99685. You state that you will release the front page offense report information to the requestor.¹ You contend that the remaining information is excepted from disclosure under section 552.108(a)(2) of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.108(a)(2) excepts from disclosure information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime if it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication. You state that "the requested investigative file resulted in a judge trial that took place in County Court No. 6 on June 16, 1998," and that "a 'not guilty' verdict was rendered in that case, and

¹Information normally found on the front page of an offense report is generally considered public. See generally Gov't Code § 552.108(c); *Houston Chronicle Publ'g Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976); Open Records Decision No. 127 (1976).

no appeal is being sought." Under these circumstances, we conclude that you may withhold the information at issue from disclosure under section 552.108(a)(2).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is fluid and cursive, with the first name "Karen" and last name "Hattaway" clearly distinguishable.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/mjc

Ref: ID# 119121

Enclosures: Submitted documents

cc: Ms. Dianna Tupa
11102 D-K Ranch Rd.
Austin, Texas 78759-6018
(w/o enclosures)